



One Hundred Twelfth Congress
U.S. House of Representatives
Committee on Homeland Security
Washington, DC 20515

January 24, 2012

The Honorable John A. Boehner
Speaker of the House
U.S. House of Representatives
Room H-232, The Capitol
Washington, D.C. 20515

Dear Speaker Boehner:

We write today to bring to your attention to a recent statement by President Obama emphasizing that Congressional jurisdiction over the Department of Homeland Security (DHS) should be consolidated. On January 14, 2012, President Obama pointed to the failure to consolidate jurisdiction over DHS as an example of government inefficiency by stating the following:

[DHS] was created to consolidate intelligence and security agencies, but Congress didn't consolidate on its side. So now [DHS] reports to over 100 different congressional panels. That's a lot of paperwork. That's a lot of reports to prepare. That's not adding value, it's not making us safer to file a whole bunch of reports all the time.

Following the terrorist attacks of September 11, 2001, our government worked collaboratively to institute major organizational reforms to enhance the security of our Nation's citizens and infrastructure against future attacks. These reforms included creation of the Office of the Director of National Intelligence and the National Counterterrorism Center, and the merger of twenty-two existing agencies to create the Department of Homeland Security (DHS). Collectively, these reforms constituted the most extensive reorganization of the Federal government since establishment of the Department of Defense (DoD) following World War II.

Similar to its response to the creation of DoD, the House responded to the creation of DHS by establishing a new standing committee, the House Committee on Homeland Security (the Committee). Unfortunately, rather than consolidating jurisdiction and providing the newly-formed DHS with a principal point of oversight and review, as was done for DoD, the House failed to vest the Committee with adequate jurisdictional authority.

Thanks to robust oversight authority, Members of the Committee have developed expertise in sundry areas of homeland security policy, provided invaluable direction to DHS and its component agencies, and identified gaps in our homeland security policies and potential efficiencies that require legislative action. However, due to what the National Commission on

Terrorist Attacks Upon the United States (9/11 Commission) Chair Thomas H. Kean and Vice Chair Lee H. Hamilton have described as the "jurisdictional melee" surrounding DHS and homeland security policy, the Committee's ability to leverage its Member's homeland security expertise by considering and bringing before the full House their legislative proposals to enhance the security of our Nation and realize efficiencies remains handicapped.

On January 26, 2010, 9/11 Commission Chair Kean and Vice Chair Hamilton addressed the existing allocation of Congressional jurisdiction over DHS by asserting the following:

Enduring fractured and overlapping committee jurisdictions on both sides of the hill have left Congressional oversight [of DHS] in an unsatisfactory state. DHS entities still report to dozens of separate committees hundreds of times per year, which constitutes a serious drain of time and resources for senior DHS officials. Further, the jurisdictional melee among the scores of Congressional committees has led to conflicting and contradictory tasks and mandates for DHS. *Without taking serious action, we fear this unworkable system could make the country less safe.* (emphasis added)

Since September 11, 2001, Congress has enacted major reforms to re-organize the Executive Branch to confront one of the major challenges of our time, protecting the Nation's citizens and infrastructure from terrorist attack. Members of the 9/11 Commission have repeatedly acknowledged, including in the 911 Commission Report, that of all of their recommendations, strengthening congressional oversight may be among the most difficult. While having an appreciation for the truth of that statement, we would urge you to revisit Rule X cl. 1 to, for the first time, consolidate jurisdiction over DHS so that the House's ability to streamline Federal programs, enact cost saving reforms and effectively and efficiently authorize programs critical to the security of our Nation is no longer obstructed.

Thank you for your attention to this matter. Should you or your staff have any further questions on this matter, please contact Steven Giaier, Parliamentarian for the House Committee on Homeland Security, Republican Staff or Ms. Rosaline Cohen, Chief Counsel for Legislation for the House Committee on Homeland Security, Democratic Staff at 202-226-2616.

Sincerely,


PETER T. KING
Chairman


BENNIE G. THOMPSON
Ranking Member